

REMARKS

Claim 1 has been amended to further define the invention. Accordingly, claims 1-4 are presently pending. Claims 1-4 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,194,676 to Takahashi et al. (hereinafter “Takahashi”). As an initial matter, for the record, Applicant respectfully notes that the Office Action quoted the last portion of the claim 1 as it stood before the Amendment on May 24, 2006, namely the Office Action recites on page 3, “rotatably fitted,” instead of “fitted such that the lever is pivotably connected to the lever support portion.” Nevertheless, Applicant traverses the rejection of claims 1-4 under 35 U.S.C. § 102(b) for at least the following reasons.

Independent claim 1, as amended, recites, in part, a lever apparatus including, “a lever,” “a cover part disposed on a base end portion of the lever,” and “a pair of fitting recessed portions formed in opposed side portions of the mounting part outside of the cover part....”

By contrast, Takahashi discloses an operating level 3 that is equipped with the operating member 7, where the rear end of the operating member 7 is secured to the base portion of the operating lever 3, and a circular recess 7a is formed in either side surface thereof. (Col. 7, lines 16-22). The Office Action appears to equate the mounting part of the claimed invention with operating member 7 of Takahashi and the pair of fitting recessed portions of the claimed invention with circular recesses 7a of Takahashi. However, Takahashi teaches circular protrusions 8b formed in the protruding members 8a that are snapped in the recess of 7a of the operating member 7. (Col. 7, lines 26-29). As shown in Fig. 3, the circular protrusions 8b and hence circular recesses 7a are located at a point **inside** the cover part. Thus, Applicant

respectfully submits that Takashi does not teach at least “a pair of fitting recessed portions formed in opposed side portions of the mounting part **outside** of the cover part...,” emphasis added, as recited in amended independent claim 1.

Furthermore, an object of the claimed invention is to facilitate a manufacture of a lever. The arrangement of the pair of fitting recessed portions formed in the mounting part at a position outside of the cover part of the lever allows for liner molds to be slidable in a direction in which the recessed portions extend at the time of the molding and thereby facilitates the manufacturing process. (See pg. 8, lines 3-18 of the present application). Conversely, as mentioned above, Takahashi teaches a lever with recessed portions being inside of the cover, which could make it difficult to dispose the mold at a place corresponding to the recessed portion and thus making the manufacture of the lever difficult.

As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Col. of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).”

Accordingly, Applicant respectfully requests that the rejection of independent claim 1 under 35 U.S.C. § 102(b) be withdrawn. Furthermore, Applicant respectfully requests that the rejection of dependent claims 2-4 under 35 U.S.C. § 102(b) be withdrawn at least because of their dependence from independent claim 1 and the reasons set forth above.

In view of the foregoing, Applicant respectfully requests reconsideration and the timely

allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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